

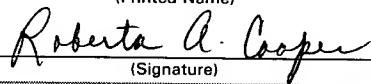


Appl. Ser. No. 09/850,324
Atty. Dkt. No. 044829-0127

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McDonald, et al
Title: ANTIMICROBIAL POLYMER
Appl. No.: 09/850,324
Filing Date: 05/07/2001
Examiner: Ana Lucrecia Woodward
Art Unit: 1714

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|  (Signature) | |

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, D.C. 20231

Sir:

In response to the restriction requirement set forth in the Office Action mailed June 25, 2003, Applicants hereby provisionally elect Group I, including Claims 1-19, 45, 47 and 49-51. In the Amendment which follows, Applicants have amended claims 20-25 to depend from claim 1, and Applicants respectfully request that amended claims 20-25 remain under consideration in this application. Applicants reserve the right to pursue the claims in Group II – VII in subsequent continuations or divisions.

In response to the election of species requirement, Applicants hereby provisionally elect: (i) the species recited in Example 1a (i.e., describing a polymer synthesized from maleic acid mono-ethyl ether, tetradecylamine, and pentaethylenehexamine); (ii) copper metal as an antimicrobial agent; and (iii) tetrakis(hydroxymethyl) phosphonium chloride as a crosslinking agent.

Please enter the Amendment which follows.

PRELIMINARY AMENDMENT

The amendments presented below are in compliance with the revised amendment format permitted in the Notice from the Office of Patent Legal Administration of the U.S. Patent and Trademark Office dated February 10, 2003. Thus, the provisions of 37 C.F.R. § 1.121(a), (b), (c) and (d) are waived for amendments made in this application to the claims, specification, and drawings.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this document.

Remarks/Arguments begin on page 14 of this document.